

Message Text

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ACTION DLOS-03

INFO OCT-01 SS-14 ISO-00 EA-13 NSC-07 CIAE-00 INR-11

NSAE-00 RSC-01 NSCE-00 L-02 COA-01 SP-01 PM-03 DODE-00

CG-00 DOTE-00 AF-04 OMB-01 DRC-01 PRS-01 /064 W

----- 057280

R 131718Z AUG 74

FM AMEMBASSY CARACAS

TO SECSTATE WASHDC 5273

INFO AMEMBASSY JAKARTA

/AMEMBASSY MANILA 43

S E C R E T SECTION 1 OF 2 CARACAS 7731

LIMDIS

FROM US DEL LOS

EO 11652: GDS

TAGS: PLOS

SUBJECT: LOS: MEETING ON ARCHIPELAGOS WITH INDONESIA

1. SUMMARY: ON 23 JULY 74 US TEAM LED BY AMBASSADOR JOHN STEVENSON AND US REP. HOHN NORTON MOORE MET WITH INDONESIAN TEAM LED BY MINISTER MOCHTAR TO DISCUSS INFORMAL US DRAFT ARCHIPELAGO ARTICLES. DURING FULL AND FRANK DISCUSSION OF ISSUES NOCHTAR INDICATED THAT OVERFLIGHT OF ARCHIPELAGO WAS STILL A CRITICAL PROBLEM WITH INDONESIA. HE ALSO STATED THAT INDONESIA HAD MAJOR POLITICAL PROBLEMS WITH PUBLIC SUPPORT US STRAITS POSITION AT THIS TIME DUE TO ITS POLITICAL TIES WITH NEIGHBORS AND 8 CO-SPONSORS OF STRAITS STATE ARTICLES. MOORE STRESSED THAT OVERFLIGHT WAS ESSENTIAL FOR UNITED STATES TO PROVIDE SUPPORT FOR ARCHIPELAGO PRINCIPLES AND URGED INDONESIA TO GIVE EARLY SUPPORT FOR UNIMPEDED TRANSIT OF STRAITS. SECOND MEETING WAS SCHEDULED WITH MOCHTAR FOR 24 JULY 74 AND REITERATED SOME POINTS OF IMPORTANCE OF INDONESIAN ACCEPTANCE OF OVERFLIGHT AND NEED FOR TIMELY RESPONSE. END SUMMARY.

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2. AMBASSADOR JOHN R. STEVENSON, US REP. JOHN NORTON MOORE,

BERNARD OXMAN (STATE), ROBERT HODGSON (STATE), MYRON NORDQUIST (STATE), RADM. MAX MORRIS (DOD/JCS) AND CAPT. PAUL YOST (DOT/USCG) MET WITH FOLLOWING MEMBERS OF INDONESIAN DELEGATION ON 23 JULY 74 TO DISCUSS ARCHIPELAGOS:

PROF DR. MOCHTAR KUSUMAATMADJA, MINISTER OF JUSTICE, AMB. ABDULLAH KAMIL, DEPT. OF FOREIGN AFFAIRS; DR. HASJIM DJALAL EMBASSY IN SINGAPORE; MR. TRIHARDJO, DEPT OF DEFENSE AND SECURITY, MR. ZAHAR ARIFIN, DEPT. OF FOREIGN AFFAIRS; MR. NOEGROHO WISNOEMOERTI, U.S. MISSION; AND MR. BUDIMAN DARMOSUTANTO, DEPT. OF FOREIGN AFFAIRS.

3. U.S. TEAM FURNISHED INDONESIA WITH COPIES OF INFORMAL DRAFT OF ARCHIPELAGO ARTICLES (POUCHED SEPARATELY). MEETING LASTED 2 1/2 HOURS AND COVERED THE FOLLOWING ISSUES: DEFINITION OF AN ARCHIPELAGO, TRANSIT REGIME, INCLUDING OVER-FLIGHT IN ARCHIPELAGO, AND INDONESIAN SUPPORT OF UNIMPEDED TRANSIT IN STRAITS.

4. MOCHTAR STRESSED THROUGHOUT MEETING NEED TO CONSULT WITH CO-SPONSORS OF DRAFT ARTICLES. HE REPORTED THAT FOUR ARCHIPELAGO STATES (INDONESIA, PHILLIPINES, FIJI AND MAURITIUS) HAD MADE FOLLOWING DECISIONS A) THAT LINES DELIMITING ARCHIPELAGO SHOULD BE CALLED BASELINES; B) THAT RATIO OF LAND TO WATER SHOULD BE 1 TO 7; AND C) THAT MAXIMUM LENGTH OF BASELINES SHOULD BE 100 MILES WITH 5 PERCENT OF BASELINES ALLOWED TO GO TO MAXIMUM OF 150 MILES. MOORE EXPRESSED DISAPPOINTMENT THAT INDONESIA WOULD REOPEN ISSUES WHICH HAD BEEN PREVIOUSLY AGREED AND POINTED OUT THAT AGREEMENT ON RATIO OF 1 TO 5 AND LENGTH OF LINE OF 80 MILES WITH ONE PERCENT ALLOWED TO BE MAXIMUM OF 100 MILES FULLY PROTECTED ALL FOUR ARCHIPELAGIC STATES. MOCHTAR SUGGESTED THAT TERM "ARCHIPELAGIC BASELINE" MIGHT PROVIDE COMPROMISE ON THEIR FIRST POINT.

5. MOCHTAR EXPRESSED CONCERN THAT US WAS TYING ARCHIPELAGO CONCEPT TO INDONESIAN SUPPORT OF US STRAITS POSITION AND POINTED OUT THAT THESE WERE TWO VERY DIFFERENT ISSUES. MOORE SUGGESTED THAT OVERFLIGHT ISSUE BE DISCUSSED FIRST IN THAT IT WAS CRITICAL TO OTHER ISSUES. MOCHTAR REPLIED THAT US KNEW THAT INDONESIA VIEWS OVERFLIGHT ISSUE AS ONE THAT SHOULD BE DISCUSSED UNDER LAW OF THE AIR NOT LAW OF THE SEA. HE ASKED IF US COULD

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PUT OFF DISCUSSION ON THIS ISSUE UNTIL AFTER LOS CONFERENCE AND NOTED THAT INDONESIA HAD NO INSTRUCTIONS ON ISSUE HERE. MOORE REPLIED THAT US COULD NOT ACCEPT ANY ARCHIPELAGIC CONCEPT WHICH DID NOT PROVIDE FOR OVERFLIGHT AND URGED THAT ISSUE BE RESOLVED SOON. MOCHTAR PROMISED TO STUDY OVERFLIGHT PROBLEM BUT EXPRESSED HOPE THAT THE US WOULD MEET WITH OTHER MARITIME POWERS TO ASSURE THAT THERE WAS WIDE AGREEMENT ON INFORMAL DRAFT ARCHIPELAGO ARTICLES. MOORE INFORMED INDONESIA THAT WE HAD

SHOWN INFORMAL DRAFT ARTICLES ONLY TO INDONESIA BUT HAD DISCUSSED BASIC PRINCIPLES WITH MAJOR MARITIME COUNTRIES AND HAD FOUND GENERAL AGREEMENT. MOORE STATED WE WOULD CONSULT FURTHER WITH OTHER MARITIME COUNTRIES ON BASIS OF INFORMAL DRAFT ARTICLES.

6. MOORE SHIFTED DISCUSSION TO WIDTH OF DESIGNATED LANES WITHIN ARCHIPELAGO FOR TRANSIT AND SAID THAT PROPOSAL OF 10 MILES BY INDONESIA DID NOT APPEAR TO BE A SERIOUS PROPOSAL. MOCHTAR REPLIED THAT US PROPOSAL OF 100 MILES DID NOT SEEM TO HIM TO BE SERIOUS AND THAT PERHAPS US COULD SUGGEST 40 MILES AND INDONESIA SUGGEST 20 AND THEN NEGOTIATE THE DIFFERENCE.

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INR-11 NSAE-00 RSC-01 L-02 COA-01 SP-01 PM-03 DODE-00

CG-00 DOTE-00 AF-04 OMB-01 DRC-01 PRS-01 /064 W

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S E C R E T SECTION 2 OF 2 CARACAS 7731

LIMDIS

FROM US DEL LOS

7. DISCUSSION SHIFTED TO TIMING OF INDONESIA'S SUPPORT OF UNIMPEDED TRANSIT THROUGH STRAITS AND MOORE SUGGESTED THAT THEY MIGHT MAKE A SPEECH CONDITIONALLY SUPPORTING UK STRAITS ARTICLES WHICH WERE A MIDDLE POSITION ON STRAITS AND US WOULD MAKE STATEMENT OF CONDITIONAL ACCEPTANCE OF ARCHIPELAGO PRINCIPLE. MOCHTAR INDICATED THAT WIDTH OF DESIGNATED LANES AND LENGTH OF BASELINES COULD BE SETTLED BETWEEN US BUT THAT IT WOULD BE POLITICAL SUICIDE FOR INDONESIA NOW TO PUBLICLY SUPPORT UK STRAITS ARTICLES.

HE POINTED OUT THAT THEY DID NOT WANT TO ISOLATE THEMSELVES AND THAT MANY DELEGATIONS WERE THINKING FORWARD TO VIENNA SESSION OF CONFERENCE. HE POINTED OUT THAT INDONESIA HAD BEEN CONSIDERABLY LESS VOCAL ON STRAITS THIS SESSION BUT COULD NOT MAKE COMPLETE TURN AROUND. HE ALSO POINTED OUT THAT HIS PLENARY SPEECH SUPPORTED OUR POSITION ON STRAITS LOCATED WITHIN THE ARCHEPELAGO.

8. IT WAS DECIDED THAT AMB. STEVENSON AND MR. MOORE WOULD MEET AGAIN BRIEFLY WITH MOCHTAR ON 24 JULY SINCE HE WAS RETURNING TO JAKARTA ON 25 JULY. DIJALAL WILL GIVE US INDONESIAN COMMENTS ON UK DRAFT ARTICLES. MOCHTAR PROMISED TO DISCUSS OVERFLIGHT
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ISSUE AND US LINKAGE OF ARCHIPELAGO AND STRAITS WITH GOI UPON HIS RETURN.

9. AT SUBSEQUENT MEETING ON JULY 24 STEVENSON, MOORE AND FRENCH MET WITH MOCHTAR, DIJALAL AND SEVERAL OTHER MEMBERS OF INDONESIAN TEAM. US TEAM STRESSED IMPORTANCE OF EARLY DECISION BY INDONESIA ON OVERFLIGHT. MOCHTAR INDICATED HE WOULD RAISE THE ISSUE ON HIS RETURN TO JAKARTA.
STEVENSON

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Message Attributes

Automatic Decaptioning: Z
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: LAW OF THE SEA, AGREEMENT DRAFT, ARCHIPELAGOS, COMMITTEE MEETINGS, POLITICAL SUMMARIES, FOREIGN POLICY POSITION
Control Number: n/a
Copy: SINGLE
Draft Date: 13 AUG 1974
Decaption Date: 28 MAY 2004
Decaption Note: 25 YEAR REVIEW
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: golinofr
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1974CARACA07731
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Film Number: D740222-0343
From: CARACAS
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1974/newtext/t19740853/aaaabtc.tel
Line Count: 196
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION DLOS
Original Classification: SECRET
Original Handling Restrictions: LIMDIS
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 4
Previous Channel Indicators:
Previous Classification: SECRET
Previous Handling Restrictions: LIMDIS
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: golinofr
Review Comment: n/a
Review Content Flags:
Review Date: 19 MAR 2002
Review Event:
Review Exemptions: n/a
Review History: RELEASED <19 MAR 2002 by shawdg>; APPROVED <15 MAY 2002 by golinofr>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: LOS: MEETING ON ARCHIPELAGOS WITH INDONESIA
TAGS: PLOS, ID, US, VE, (STEVENSON, JOHN), (MOORE, JOHN NORTON)
To: STATE
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005